

MIAMI BEACH

Presentations & Awards/City Commission Meeting

City Hall, Commission Chambers, 3rd Floor, 1700 Convention Center Drive

April 30, 2014

Mayor Philip Levine
Vice-Mayor Micky Steinberg
Commissioner Michael Grieco
Commissioner Joy Malakoff
Commissioner Edward L. Tobin
Commissioner Deede Weithorn
Commissioner Jonah Wolfson Arrived at 5:11:18 p.m.

City Manager Jimmy L. Morales
City Attorney Jose Smith
City Clerk Rafael E. Granado

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ATTENTION ALL LOBBYISTS

Chapter 2, Article VII, Division 3 of the City Code of Miami Beach, entitled "Lobbyists," requires the registration of all lobbyists with the City Clerk prior to engaging in any lobbying activity with the City Commission, any City Board or Committee, or any personnel as defined in the subject Code sections. Copies of the City Code sections on lobbyists laws are available in the City Clerk's Office. Questions regarding the provisions of the Ordinance should be directed to the Office of the City Attorney.

Special note: In order to ensure adequate public consideration, if necessary, the Mayor and City Commission may move any agenda item to the alternate meeting date, which will only be held if needed. In addition, the Mayor and City Commission may, at their discretion, adjourn the Commission Meeting without reaching all agenda items.

Meeting called to order at 5:03:23 p.m.

Pledge of allegiance led by Chuck Tear, Emergency Management Coordinator.

Vice-Mayor Steinberg requested a moment of silence in honor of the Holocaust victims.

EMERGENCY ITEMS:

R9E
R9F
R9G
R9H
R9I

EMERGENCY ITEMS

ACTION: Motion made by Commissioner Weithorn to add emergency items R9E, R9F, R9G, R9H, and R9I to the Commission Agenda; seconded by Vice-Mayor Steinberg; Voice vote: 7-0.

Presentations and Awards

5:30:52 p.m.

- PA1 Proclamation To Be Presented To David Graubart, Owner Of Atlas TV Center, Located At 736 71st Street, Which Is Closing Its Doors After 61 Years Of Serving The Community.
(Requested by Commissioner Deede Weithorn)

ACTION: Proclamation presented.

Commissioner Weithorn has a proclamation for a local business that has been operating since the 1950s, Atlas TV Center. When she took her mother to the doctor yesterday, they were talking about Atlas TV Center, and it brought back memories. It is with great joy and some sadness that she today recognizes Atlas TV Center, formerly located at 736 71st Street. They opened their doors in 1952, and that was before she was born. They rented and repaired televisions and radios and they grew to eight employees. In 1982, David Graubart partnered with Jack, a longtime employee of the company. After Jack retired in 1991, David became the sole owner. Atlas TV Center has served the Miami Beach community for 61 years. Although the retail company has closed its doors, David still repairs TVs for Miami Beach Hotels and still is an important part of this community. That is why they proclaim today, April 30, 2014, as Atlas TV Center Day in the City of Miami Beach.

Handout or Reference Materials:

1. Photo provided by David Graubart from 1960 – click [here](#) to view

5:57:23 p.m.

- PA2 Presentation Of The First Generation Comprehensive City Of Miami Beach APP Developed For IOS And Android, Utilizing The Miami Beach Visitor And Convention Authority API.
(Requested by Vice-Mayor Micky Steinberg)

ACTION: Presentation made.

Vice-Mayor Steinberg stated that the Miami Beach Visitors and Convention Authority (VCA) is here today to present the mobile APPs for both Apple and Androids, entitled *Miami Beach Information*, developed as a result of the API or Application Programming Interface that they actually developed.

Steve Adkins, VCA Chair, Grisette Marcos, VCA Executive Director, and Board Members Adrian Gonzalez, Peggy Benua and Aaron Perry introduced themselves.

Steve Adkins, VCA Chair, introduced the new API. He explained that three years ago, VCA Executive Director Grisette Marcos and her team spent countless hours inputting data into an interface, which has been transformed into a new user-friendly format.

Grisette Marcos, VCA Executive Director, introduced Bismark Canut, Program Manager/Consultant, and Shawn Moore from Solodev, who is the company that produced the API. She recognized Eileen de la Cuesta, Assistant Director and IT Associate Marian Irizarry. The API is a database of everything that is Miami Beach. With the assistance of the City's Finance Department, every business on Miami Beach that has an occupational license has been entered

Prepared by the City Clerk's Office

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into a friendly program that is accessible to developers. As a result, they created an APP that can be downloaded to an Apple iPhone or an Android. They are also interfacing with the Parks & Recreation Department. She added that there are 230 categories of businesses in Miami Beach.

Adrian Gonzalez explained that an API is an Application Program Interface, and is basically a set of commands that lets developers access data in a secure fashion but does not allow them access to private networks; they are creating a hub of all City and beyond data about Miami Beach, with the hopes that either the City, other developers or other agencies can start to get applications on top of this platform.

Steve Adkins, VCA Chair, explained that the API's application for mobile platforms have been developed to showcase the data they contained; last year they participated in an event in the University of Miami titled U-Hub, where a group of programmers spent 24 hours developing new applications and website to tap into this data to see what they could come up with. Miami Beach VCA API took first place in this event. The participants had 15 API's to choose from, and chose theirs to work on because of the robust amount of information and unique interface. The creativity that programmers have and are able to utilize in conjunction with the data is incredible. The winning APP developed a platform where they would scan the music on their iPhones or iPads and input what hotel they would be on the beach and it will give you every event that has to do with that preference, for example. The goal is to be able to provide the community with this data. The uniqueness of the data is that this is information containing architectural data and art that is contained throughout Miami Beach.

Mr. Gonzalez informed that the APP is operational and they have 260 different categories of businesses in the APP with 21,000 features available. One APP was developed by the VCA and the other was developed by the Parks and Recreation Department. This data is now secured, easily accessible and anyone else that wants to build an APP can tap into the platform.

Ms. Marcos explained that the next step is to put those things that do not have an occupational license but are still of interest to the public, such as beach access, lifeguards, concessions, etc.

Vice-Mayor Steinberg stated that this is a free application and it is available now.

Mayor Levine asked what the City could do to promote this. Ms. Marcos added that a press release has been done on the APP and will be happy to forward to him. **Grisette Marcos to handle.**

The Applications (APPs) are called: Miami Beach Information and Miami Beach Parks. [View press release.](#)

6:06:49 p.m.

- PA3 Certificates Of Appreciation To Be Presented To Volunteers Who Participated In Operation RenderSafe, A Full-Scale Regional Specialty Team Exercise Hosted By City Of Miami Beach In Coordination With The Southeast Regional Security Task Force (SERSTF), South Florida Regional Planning Council (SFRPC), And The Urban Area Security Initiative (UASI).
(Emergency Management)

ACTION: Certificates presented to Mark Anthony, Robert Ashenoff, Sr., Marina Aviles, Kenneth Berenski, Ray Breslin, Ofelia Colunga, Glenn Costales, Gregory Delfavero, Paul DiMuont, Beatriz Dooley, Jamie Douglas, Martha Dreyer, Lori Gold Hall, Katherine Gonzalez, Allan Hall, Delecia Johnson, Rosanna Johnson, Nelly Martinez, Valerie Navarrete, Betty Ortega, Marcella Paz Cohen., Patrick Pecoraro, Bruce Rosenstein, Emily Rosenstein, Joshua Rosenstein, Luis Souza, Allen Stasevich, Debbie Stasevich, and Priscilla Torres.

Chuck Tear, Emergency Management Coordinator, thanked the City Commission for their support during Operation RenderSafe. They had the opportunity to partner with the region, other cities, the State, Federal agencies and brought equipment and resources and different departments together for this exercise. Mr. Tear emphasized that emergency Response is not only the Fire Command, Police and Emergency Managers. Behind the scene, on major events, what makes a difference are the citizens and people being prepared and ready to stand up and serve. During this exercise, they did just that, and he wanted to recognize the volunteers from CERT who gave of their time to make this a success.

6:11:54 p.m.**ANNOUNCEMENT**

Commissioner Weithorn recognized Miami Beach resident Gabriel Del Ponte in the audience, who is going to undertake a year bike tour to Japan. She wished him well and he is going to represent Miami Beach in Sister Cities in Japan.

Gabriel Del Ponte spoke, and stated that he is happy to represent Miami Beach.

City Manager Morales explained that Mr. Del Ponte will be generating art while he is Japan and will bring the art back for an exhibition.

- PA4 Certificates Of Recognition To Be Presented To League Against Cancer/Employer And Maria Cristina Fandino/Employee For Their Participation In The UNIDAD Senior Employment Program.
(Requested by Commissioner Jonah Wolfson)

ACTION: Item deferred.

5:52:47 p.m.

PA5 Presentation On The State Of The Travel And Tourism Industry By William Talbert, President & CEO Of The Greater Miami Convention & Visitors Bureau And Recognition Of National Travel And Tourism Week.

(Requested by Mayor Philip Levine)

ACTION: Presentation made. Plaque presented to the City Commission.

William Talbert, President & CEO of the Greater Miami Convention & Visitors Bureau, stated that they had a record year and are here to thank the City Commission for their support and the growing partnership. The Bureau is excited about the new faces and the new ideas on the Commission, and to follow their lead. He introduced the immediate past Chair, Gene Prescott.

Gene Prescott, past Chair of the Greater Miami Convention & Visitors Bureau, stated that it is a pleasure to be here; and as they know, he has the Alexandra Suite Hotel in Miami Beach, and knows many of the City Commissioners and appreciates the good work they are doing. In this community and in this industry, they appreciate the working conditions they have with the City Commission. It is though because there is a great deal of competition, but with their help and working together, they can continue to improve.

William Talbert, President & CEO of the Greater Miami Convention & Visitors Bureau, stated that they had a record year in 2013, and for the first time in their history, there were more international visitors than domestic. He added that no other City in the country can say that. There were great conventions in 2013 that they know will come back. The Greater Miami Convention & Visitors Bureau will come back in May to discuss going forward with this partnership and are excited about the future. He presented a plaque to the City Commission.

Handouts or Reference Materials:

1. Greater Miami Convention & Visitors Bureau Facts Card

5:40:05 p.m.

PA6 Presentation Of Community Service Award From Division Chief Of Rescue Francois Betancourt To Cory Brown, Firefighter I.

(Requested by Mayor Philip Levine)

ACTION: Presentation made by Fire Chief Virgil Fernandez.

The Department's Award Recognition Committee selected Firefighter Cory Brown for the Community Service Award.

The Community Service Award is presented to members of the Fire Department who have donated considerable time and effort towards the betterment of the community, although not necessarily in a job related manner.

INCIDENT:

Firefighter Cory Brown has consistently volunteered his time to community service since his date of employment in March 2007.

- In 2009, he coordinated a career awareness event at the Overtown Youth Center discussing Fire Department careers.
- In 2010, he was a volunteer guest speaker for the Fire and Life Safety Awareness Event at the North Miami Beach Public Library.
- In December 2010, he coordinated the Holiday Hearts for the Homeless event that served 200 plates of food and provided clothes to about 100 homeless people.
- On Thanksgiving Day in 2011, he volunteered to feed the homeless on Miami Beach as part of an IAFF union sponsored event.
- In December 2011, he volunteered for the Miami Beach Firefighters Union Local 1510 Toy Drive providing toys for underprivileged kids. That same month he coordinated a clothing drive for battered women in homeless shelters assisting those less fortunate in our community.
- In May 2012, he volunteered to be guest speaker at career day for Phyllis Miller Elementary School in Miami Shores, FL educating our youth on fire and life safety topics.
- In August 2012, he coordinated the first Fire Rescue Workshop at the Miami Beach Fire Department for 15 high school students from the Alonso Mourning Overtown Youth Center. This workshop required extensive coordination of resources from all divisions across the Fire Department to include hands-on-training demonstrations and lectures from each Fire Division Chief.
- In 2012, he again volunteered his time on Thanksgiving Day to feed the homeless and supported the Union Toy Drive to provide underprivileged kids with toys.

Firefighter Brown has displayed a remarkable dedication to the betterment of the community and is deserving of recognition by receiving the Miami Beach Fire Department's Community Service Award for his consistent dedication and commitment to community service, to his profession and the City of Miami Beach Fire Department.

It is with great pleasure that the Department of Fire Rescue proudly presents the Department's Community Service Award To Firefighter Cory Brown

5:34:17 p.m.

PA7 Presentation Of Citizen Lifesaving Award To Dimas Bensuski, And Unit Citation Awards To Robert Erbs, Jose Flores And Jesus Abay, From Division Chief Of Rescue Francois Betancourt.
(Requested by Mayor Philip Levine)

ACTION: Awards presented by Fire Chief Virgil Fernandez.

The City of Miami Beach Department of Fire Rescue recognizes the service and performance of personnel who have distinguished themselves as leaders in our Department and/or our community.

They recognize that their commitment plays a key role in maintaining our high level of service and Class 1 rating.

The Fire Department's Award Recognition Committee has selected Firefighters Jesus Abay, Robert Erbs and Jose Flores for the Department's Unit Citation award.

The Unit Citation award is presented by the Fire Chief to any group of Department members or company, which has distinguished itself with courage and/or exceptional performance, collectively as a team at the scene of an emergency or other incident.

The Department's award recognition committee also recognizes City of Miami Firefighter Dimas Bensuaski with the Citizens Lifesaving Award.

This award is presented to a person outside our Fire Department, who has been involved in a lifesaving effort at an emergency scene, before the arrival of the Fire Department, or who has provided extraordinary assistance to our members in a lifesaving effort.

INCIDENT:

On Saturday, October 26, 2013, firefighters Robert Erbs, Jesus Abay and Jose Flores were working at the annual Miami Beach Halloween Half Marathon. This event draws an attendance of over a thousand participants to Miami Beach each year. At approximately 8:30 a.m., rescue was summoned by a bystander to a report of a male that had collapsed near the finish line and suffered from Sudden Cardiac Arrest (SCA). Rescue crew made contact with the patient in less than one minute and found Mr. Dimas Bensuaski performing bystander CPR. Mr. Bensuaski, an off-duty City of Miami firefighter, was an event participant who witnessed the person collapse, quickly took action and assessed the pulseless patient and began performing CPR.

Our rescue crew quickly assumed patient care and provided a rapid shock to the patient's heart, known as defibrillation, in order to reverse the patient's life threatening condition. Because of rapid activation of the EMS system, providing bystander CPR and rapid defibrillation, this collaborative effort resulted in a positive patient outcome. The patient regained consciousness during the hospital transport and began to breathe without assistance. As a direct result of Mr. Dimas Bensuaski's actions and the exceptional performance of the rescue crew they greatly contributed to the positive outcome of this Sudden Cardiac Arrest victim and their lifesaving efforts are worthy of recognition.

Sudden Cardiac Arrest is a leading cause of death in the United States, accounting for an estimated 325,000 deaths each year (SCA kills nearly 1,000 people a day or one person every two minutes). Survival rates nationally are less than 8%. Only about a third of the victims receive bystander CPR. Without oxygen-rich blood, permanent brain damage or death can occur in less than eight minutes. The American Heart Association estimates that effective bystander CPR, provided immediately after Sudden Cardiac Arrest, can double or triple a person's chance of survival. SCA can happen to anyone at any time. Many victims appear healthy with no known heart disease or other risk factors.

It is with great pleasure that the Department of Fire Rescue is proud to present the Department's Unit Citation award to firefighters Jesus Abay, Robert Erbs, Jose Flores, and City of Miami Firefighter Dimas Bensuaski with the Citizens Lifesaving Award.

Today we have with us one of those less than 8% survivors, Mr. Thomas Van Lent, who was the patient that was revived that day.

Mr. Thomas Van Lent spoke and thanked the members of the Miami Beach Fire Department and City of Miami Firefighter Dimas Bensuaski.

Chief Fernandez recognized the Mount Sinai Medical Staff.

Handout or Reference Materials:

1. Commendation letters to Robert Erbs, Jesus Abay and Jose Flores.
2. Unit Citation/Life Saving Award List

5:27:08 p.m.

PA8 Proclamation To David's Café For Their 37 Years Of Service In Miami Beach.
(Requested by Vice-Mayor Micky Steinberg)

ACTION: Proclamation presented.

Vice-Mayor Steinberg stated that David's Cafe' is a place that she remembers as a child. They were in business for 37 years. She recognized the entire family in the audience and read the proclamation into the record: Alfredo Gonzalez fled his home in Cuba to have a dream and met his wife Maria and was married in New Jersey in 1966. They both shared a passion for the hospitality and food industry. In 1976, the family moved to Miami Beach. South Beach was mainly a retirement community, but in 1977 Alfredo found his gem in the center of South Beach called David's Cafe'. They bought the café with the vision that the retirement community would one day become a vibrant multi-cultural place. The hard work paid off and David's Cafe' became a Cuban American institution, the dream became a reality and closed its doors after over 37 years of serving Miami Beach on a 24 hour basis with their authentic Cuban American institution. After 37 years of service, they closed their doors on April 20, 2014. Therefore the Mayor and Commissioners of the City of Miami Beach hereby proclaim April 30, 2014 as David's Cafe' Day in Miami Beach.

Alfredo Gonzalez, Sr., his wife Maria, Alfredo Gonzalez, Jr., and Adrian Gonzalez and family received the proclamation.

5:48:30 p.m.

PA9 Certificate Of Recognition To Be Presented To Florida Highway Patrol Trooper Yudiel Santana And Miami Beach Police Officer Tino Serrano For Saving A Man's Life After Crash.
(Requested by Commissioner Edward L. Tobin)

ACTION: Proclamation presented by Chief Buhrmaster.

Commissioner Tobin introduced the item. Here is just one example of some of the great things that our Miami Beach Police Officers do all the time. He thinks this is unique perhaps to most people, but not unique for those who know some of the great Police Officers that work in this Department as well as all over South Florida. They are recognizing today Miami Beach Police Officer Tino Serrano, who responded to a crash site and helped the man in the accident, and they are going to recognize the Florida Highway Patrol Trooper who responded and assisted in saving this man's life. Commissioner Tobin added that it was remarkable to see the officer not on duty, not in the City, stopping to help and that is what so many Police Officers do. It is in their blood and that is why they become Police Officers, because they want to help.

Chief Buhrmaster would like to bring to the Commission's attention that they went to another ceremony in Miami where these officers were also recognized for this outstanding job. Chief Buhrmaster wants to bring to the Commissions' attention, as well as the residents of Miami

Beach, that these are things that Police Officers do every day, without hesitation. They put themselves in harm's way every day. Officer Serrano is a 17-year veteran of the Police Department and does not think anything of it; like all Police Officers.

Captain Lathrop, from the Florida Highway Patrol, stated that it is nice to see that agencies can work together.

Handouts or Reference Materials:

1. Email from Dessiree Kane dated April 30, 2014 RE: Addition to Presentations for Commissioner Tobin.

REGULAR AGENDA

R2 - Competitive Bid Reports

7:15:57 p.m.

- R2A Request For Approval To Award A Contract, Pursuant To Invitation To Bid (ITB) No. 2014-154-SR For Turnkey Trolley Operations And Maintenance Services.
(Transportation/Procurement)

ACTION: Request approved. Motion made by Commissioner Malakoff; seconded by Commissioner Weithorn; Voice vote 7-0. **Jose Gonzalez and Alex Denis to handle.**

Jose Gonzalez, Transportation Department Director, stated that this item pertains to awarding the contract for trolley services, in particular the North Beach trolley. It also includes the provision for additional optional routes at the City's sole discretion. The lowest responsible bidder was Limousine South Florida (LSF), the current trolley provider.

Alex Heckler, on behalf of Transportation America, parent company of Limousine South Florida, (LSF), confirmed for the record, that this contract can be used to negotiate additional trolleys at the City's option.

R5 - Ordinances

7:13:13 p.m.

- R5A RM-2 Oceanfront Height Regulations
An Ordinance Amending The Code Of The City Of Miami Beach, Florida, By Amending Chapter 142, "Zoning Districts And Regulations," Article II, "District Regulations," Division 3 "Residential Multifamily Districts" By Amending Section 142-217, "Area Requirements," Regarding Maximum Building Height And Maximum Number Of Stories For Oceanfront Lots With A Property Line Within 250 Feet Of North Shore Open Space Park; Providing For Codification; Repealer; Severability; And An Effective Date. **5:45 p.m. Second Reading Public Hearing**
(Sponsored by Commissioner Jonah Wolfson)
(Legislative Tracking: Planning)
(Continued from April 23, 2014 - R5E)

ACTION: Title of the ordinance read into the record. Public Hearing held. **Ordinance 2014-3857**

Prepared by the City Clerk's Office

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adopted on second reading. Motion made by Commissioner Weithorn to adopt the ordinance; seconded by Commissioner Wolfson; Ballot vote: 7-0. **Thomas Mooney to handle.**

Handouts or Reference Materials:

1. The Miami Herald Neighbor's Section Ad No. 881, published April 26, 2014

7:18:01 p.m.

R5B AFSCME MBERP Ordinance

An Ordinance Implementing Provisions Of The 2013-2016 Collective Bargaining Agreement Between The City And The American Federation Of State, County And Municipal Employees, (AFSCME) Local 1554; Amending The Miami Beach Employees' Retirement Plan Created By Ordinance 2006-3504; Amending Section 2.26 Of The Plan By Extending The Deferred Retirement Option Plan (DROP) Program From Three (3) To Five (5) Years For Eligible Members; Amending Section 5.13 To Reflect Amended Eligibility And Participation Requirements And Amended DROP Plan Features; Amending Section 4.03 By Eliminating The Purchase Of Additional Creditable Service Effective April 23, 2015; Amending Section 6.02 Of The Plan By Reinstating An Additional Two Percent Member Contribution For Members Of The AFSCME Bargaining Unit Hired Prior To September 30, 2010; And Eliminating The Additional Two Percent Member Contribution When The Plan Actuary Confirms That The City's Annual Required Contribution To The Retirement Plan Is 23.5% Of Payroll Or Less; Providing For Severability; Repealing All Ordinances In Conflict Therewith; And Providing An Effective Date. **First Reading**

(Sponsored by Commissioner Deede Weithorn)

(Legislative Tracking: Human Resources)

(Deferred from April 23, 2014 - R5T)

ACTION: Title of the ordinance read into the record. Ordinance approved on First Reading. Motion made by Commissioner Weithorn to adopt the ordinance; seconded by Commissioner Grieco; Ballot vote: 7-0. Second reading and Public Hearing scheduled for May 21, 2014. **Rafael E. Granado to notice.** Lilia Cardillo to place on the Commission Agenda if received. **Sylvia Crespo-Tabak to handle.**

Kathie G. Brooks, Assistant City Manager, introduced the item. This is the pension components of the AFSCME contract that the Commission ratified on April 23, 2014, and reinstates the employee contribution for AFSCME. It eliminates the two-year buy back and extends the DROP provision for employees from three to five years. The five-year impact is a savings of approximately \$1.7 million.

R7 - Resolutions

5:05:09 p.m.

R7A A Resolution Consenting To And Confirming The Appointment Of Daniel J. Oates As The Chief Of Police For The City Of Miami Beach, Florida, And Approving And Authorizing The Mayor And City Clerk To Execute An Employment Agreement With Daniel J. Oates, For His Employment As Chief Of Police.

(Human Resources)

ACTION: Resolution 2014-28583 adopted. Motion made by Commissioner Wolfson to adopt the resolution; seconded by Commissioner Tobin; Voice vote: 7-0. **Sylvia Crespo-Tabak to handle.**

Prepared by the City Clerk's Office

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Jimmy L. Morales, City Manager, stated that he took this task very seriously because the Chief of Police position in the City of Miami Beach, after the City Attorney and the City Manager positions, is one of the most important positions, because of the size of the Department and the interaction with the public. He explained that he reached out to strong local candidates, and with the help of Police Executive Research Forum, he reached out to many candidates. He was fortunate to find a candidate of the caliber of Chief Oates. He was born in New Jersey and spent years in the New York Police Department where he was Deputy Chief of Police. He received kudos for managing community tension in Ann Arbor, Michigan after 911, and in 2005 went to Aurora, Colorado. Not only did he turn that department around, but also during the infamous shooting of the "Dark Knight Rises" movie premier, he provided leadership in that community making all feel better and safer. His wife Nancy is here with his two daughters. Miami Beach has a good Police Department that Chief Oates can take to the next level. The City Manager submitted Chief Oates appointment as Chief of Police and circulated his contract.

Commissioner Grieco stated that he has been a criminal defense attorney for many years; Chief Oates is a top candidate, he met with him and he is his number one choice. The main reason for his support is that Chief Oates does not claim to have all the answers; Chief Oates stated that people are the best source of information and guidance, coupled with his experience.

Commissioner Malakoff welcomed Chief Oates to Miami Beach and looks forward to working with him.

Commissioner Tobin stated that Chief Oates' qualifications are impeccable, and the City of Miami Beach is fortunate to have him; this City has a good Police Department with dedicated officers, and they will have the good fortune to work with him.

Commissioner Weithorn stated that she will have a lot to say the same as her colleagues, but the question being asked is how can somebody from the outside come here and understand them, but his opening comment was that he will take his time getting to know us so that he can make the right decision, and he answered the question because of this, the City is very lucky to have him.

Vice-Mayor Steinberg stated that she had the pleasure of speaking to Chief Oates this morning and had a great conversation. She added that his resume is amazing and welcomed him to Miami Beach.

Commissioner Wolfson stated that he really liked the way this was done by Mr. Morales and we are very lucky to have Chief Oates, and looks forward to working with him.

Mayor Levine stated they spent time together and as he said at the Breakfast Club, they did a lot of due diligence on the Chief; however, the Mayor added jokingly that the one drawback is that Chief Oates has a lot of sympathy for the Brooklyn Nets, this will need to be discussed in the future, but it will not affect contract negotiations.

Motion made by Commissioner Wolfson; seconded by Commissioner Tobin; Voice vote: 7-0.

Chief Oates stated that he is humbled and honored to have this opportunity in this great City. He spent some time today with the Command Staff at the Police Department and is really looking

forward to working with them. He added that he does not have a quick and easy answer, and he thinks this is why he was hired, because he did not come here saying that he knows exactly what to do. He stated as he mentioned in the conversations that he had with each of the members of the City Commission, that he is counting on their help, guidance, and assistance, the entire community, and that of the Police Department to do the best job he can. He explained that there are two things he knows for sure; 1) that he is going to work very hard and apply his skills and experience and 2) that he will probably make some mistakes. He hopes that with everyone's help, he will learn from his mistakes and the goal is to have the best possible Police Department and the best possible service to the citizens.

Mayor Levine called for a short recess.

City Clerk's Note: Pursuant to the Employment Contract, Chief Oates first day on the job will be on or about June 11, 2014. Subsequently, the first day was changed, via email, to June 9, 2014.

Handout or Reference Materials:

1. Employment Agreement

R7B A Resolution Accepting The Recommendation Of The City Manager Pertaining To The Ranking Of Proposals, Pursuant To Request For Proposals (RFP) No. 2014-091-SW, For Investment Advisory Services; Authorizing The Administration To Enter Into Negotiations With The Top-Ranked Firm, First Southwest; And Should The Administration Not Be Successful In Negotiating An Agreement With The Top-Ranked Proposer, Authorizing Negotiations With The Second-Ranked Proposers (TIE), Davidson Fixed Income Management And Public Trust Advisors, LLC; And Further Authorizing The Mayor And City Clerk To Execute An Agreement Upon Conclusion Of Successful Negotiations By The Administration.
(Finance/Procurement)

ACTION: Item withdrawn.

Handout or Reference Materials:

1. Email from Alex Denis dated April 29, 2014 RE: Public Trust Advisors protest for RFP NO. 2014-091-MF Investment Advisory Services.

R9 - New Business and Commission Requests**6:14:24 p.m.**

R9A Public Hearing To Consider Changes In Designation, Use, And Modification To The Plans, Approved For The Par 3 Golf Course Located At 2795 Prairie Avenue, Miami Beach, 33140, As Provided In The Stipulated Settlement Agreement Approved And Adopted By The 11th Judicial Circuit Court In And For Miami-Dade County On October 28, 2011 In Bayshore Homeowners Assoc., Inc. v. City Of Miami Beach, Case No. 07-42998. **5:30 p.m. Public Hearing**

(Requested by Commissioner Edward L. Tobin)

(Legislative Tracking: Parks & Recreation/City Attorney's Office)

(Continued from April 23, 2014 - R9J)

ACTION: Public Hearing and discussion held. **Resolution No. 2014-28584 adopted.** See Motions Nos.1 and 2.

Motion No. 1:

Motion made by Vice-Mayor Steinberg to accept the Parks and Recreational Facilities Advisory Board's motion of April 28, 2014, changing the use currently designated for a portion of the Par 3 Golf Course, as well as including the open space adjacent to the Scott Rakow Youth Center building and parking lot, so as to be considered as an open recreational play area for the children of Miami Beach, and specifically for activities and programming of the Scott Rakow Youth Center; seconded by Commissioner Malakoff; Ballot vote: 7-0. **City Attorney's Office, David Martinez and John Rebar to handle.**

Motion No. 2:

Motion made by Commissioner Wolfson to change the use of the remainder of the Par 3 Golf Course not covered in motion No. 1 to a passive recreation area/park; seconded by Commissioner Tobin; Ballot vote: 6-1; Opposed; Commissioner Weithorn. **City Attorney's Office, David Martinez and John Rebar to handle.**

Rafael E. Granado, City Clerk, stated for the record, that LTC 144-014 has been distributed to the City Commission, which is the Parks and Recreational Facilities Advisory Board motion made at their emergency meeting on April 28, 2014, as well as a letter from Robert N. Hartsell, P.A., regarding the Bayshore Homeowners Association Inc. v. City of Miami Beach.

Commissioner Tobin explained that the Par 3 Golf Course is a green space that can be used as a park or soccer field, and over the years one of the neighborhood associations did a great job in making sure that the City did not use it for parking lot, unfortunately that group wants to put a pitching put golf amenity there, and he did not think that another golf amenity is what the community needed, as it could serve a better purpose by leaving it as green space.

Discussion held.

The following individuals spoke:

Mayra Diaz-Buttacavoli

Jonathan Groff

Paul Stein

Jane Doe

Robert Warren
Barry Miller
Karen Rivo
Lee Klein
Former Commissioner Jorge Exposito
Former Mayor Neisen Kasdin
Hadley Henniet
Alian Sandra Miller
Ray Breslin

6:53:04 p.m.

Commissioner Tobin stated that it boils down to the fact that the neighbors do not want the kids and families from other areas. He added that the park would need great security and many activities.

Commissioner Wolfson stated that the neighbors do not want a regional park because of traffic and congestion, and that it is why they favor a golf course. They need to do the right thing and in the best interest of the whole. He added that a passive park would meet the needs of the entire community.

6:59:53 p.m.

Mayor Levine stated that what is in front of them is the tennis court, the tot-lot and instead of the Par 3 have an open field for people to use, which requires a 5/7th vote.

Raul Aguila, Chief Deputy City Attorney, stated that under the settlement agreement the City Commission has the right to change the use. The difference is the voting requirement. It can be changed to a passive use pursuant to a 5/7th vote of the City Commission after holding a public hearing, which they just did. If they want to change it to any other active use, it will require a 7/7th vote. The only difference is the voting requirement between passive and active use.

Vice-Mayor Steinberg stated that first and foremost they need to bifurcate the issue regardless of what is done with the other part of the land. She explained that the area of the Scott Rakow Youth Center needs to be bifurcated first. She suggested that the discussion for the rest of the land should go back to the Parks and Recreational Facilities Advisory Board and have them come back to the City Commission with options.

Discussion continued.

6:57:54 p.m.

Raul Aguila, Chief Deputy City Attorney, stated that the area is divided into three parcels subject to the settlement agreement; Parcel A which is the Par 3 Golf Course, Parcel B which is the Scott Rakow open play area, and Parcel D which is the area within the park used by Public Works which is supposed to go back to recreational.

Discussion continued.

7:01:03 p.m.

Gary Held, First Assistant City Attorney, stated that he had a conversation with the City Attorney and tried to distinguish between active and passive. He explained that if you fence off an area for Scott Rakow Youth Center, by definition that area will not be passive, but it will be organized

active recreational use and that will require a 7/7th vote. He added that any organized use, even on an open field, is not passive.

Raul Aguila, Chief Deputy City Attorney, gave examples of passive park use such as an open play area, an open space playing field and that the area is not programmed by the City, or incorporated into an area that is programmed by the City.

Discussion continued.

7:04:07 p.m.

Raul Aguila, Chief Deputy City Attorney, explained that the motion of the Parks and Recreational Facilities Advisory Board talks about an open recreational play area for the children of Miami Beach and specifically for activities and programming of the Scott Rakow Youth Center, and this will clearly require a 7/7th vote.

Jonathan Groff spoke.

Discussion continued.

7:07:14 p.m.

Motion No. 1:

Motion made by Vice-Mayor Steinberg to support the Parks and Recreational Facilities Advisory Board's recommendation to bifurcate the area as stated in their motion to be specific for the use of the Scott Rakow Youth Center for the programming of the children there; seconded by Commissioner Malakoff; Voice vote 7-0.

Raul Aguila, Chief Deputy City Attorney, clarified the motion which was to accept the Parks and Recreational Facilities Advisory Board's motion of April 28, 2014, changing the use currently designated for the Par 3 putting green, as well as including the open space adjacent to the Scott Rakow Youth Center building parking lot, so as to be considered as an open recreational play area for the children of Miami Beach, and specifically for activities and programming of the Scott Rakow Youth Center. This requires a 7/7th vote. Motion seconded by Commissioner Malakoff; Voice vote: 7-0.

Discussion continued.

7:09:49 p.m.

Motion No. 2:

Motion made by Commissioner Wolfson to rescind from building the Par 3 Golf Course and to go forward in the direction of a passive park in the rest of the park, excluding the area covered on the first motion.

7:10:14 p.m.

Raul Aguila, Chief Deputy City Attorney, clarified that the Parks and Recreational Facilities Advisory Board's motion was for a portion of the Par 3 Golf Course, and Commissioner Wolfson is moving for the remainder of the park, they voted for the putting green for active programming at the Scott Rakow Youth Center.

Discussion continued.

Motion seconded by Commissioner Tobin; Voice vote: 6-1; Opposed: Commissioner Weithorn.

Discussion continued.

Commissioner Grieco stated that he received a letter from the Neighborhood Association written by an attorney wherein they threaten to sue the City.

Handouts or Reference Materials:

1. The Miami Herald Neighbor's Section Ad No. 881, published April 26, 2014
2. E-mail dated April 30, 2014 from Desiree Kane to Rafael E. Granado requesting that the item be heard. LTC 144-2014 dated April 28, 2014. Re: Parks and Recreational Facilities Advisory Board Motion on April 29, 2014 Emergency Meeting
3. LTC 144-2014 Date April 28, 2014. Re: Parks and Recreational Facilities Advisory Board Motion on April 29, 2014 Emergency Meeting
4. Speakers List
5. Par 3 Golf Course Restoration Historical Background in photos: Bayshore Homeowners Association History, A Gift Deeded in 1930, Carving the Municipal Golf Course, Recent History, Bayshore Homeowners Association Mission, Alternative Plans, Passive Park Option, Partial Park Option, Par 3 Restoration and Additional Recreational Uses; Scott Rakow Youth Center, What We All Want Is All In The Plan.
6. Letter from Robert N. Hartsell, P.A., dated April 30, 2014 RE: Bayshore Homeowners Association, Inc., v. City of Miami Beach, Circuit Court Case No. 07-42998 CA 30 to Mr. Gary Held, Esq.

7:20:17 p.m.

R9B Referral To The Planning Board - Amend Single Family Development Regulations Applicability - An Ordinance Amending The Land Development Regulations Of The Miami Beach City Code, By Amending Ordinance 2014-3835, Which Revised The Development Regulations For Single Family Homes In The RS-1, RS-2, RS-3 And RS-4 Zoning Districts, Which Amended Sections 142-105 And 142-106 Of The City Code, By Amending The Ordinance's Applicability Section 3, "Exceptions," To Provide For Additional Exceptions For Persons Who Had Applied For Land Use Board Approval Or Permits Prior To Adoption Of The Ordinance, Providing For Repealer; Severability; And An Effective Date.

(Requested by Commissioner Jonah Wolfson)

(Legislative Tracking: City Attorney's Office)

(Continued from April 23, 2014 - C4R)

ACTION: Discussion held. **Item referred to the Planning Board as amended, excluding providing the additional exemptions.** Motion made by Commissioner Wolfson; seconded by Commissioner Malakoff; Voice-vote: 5-2; Opposed: Vice-Mayor Steinberg and Commissioner Weithorn. Thomas Mooney to place on the board agenda. **City Attorney's Office and Thomas Mooney to handle.**

Commissioner Wolfson explained the issue is that the practical implications from this ordinance will be that they will end up with boxes or "L's," because nobody wants to build and have that space use against the FAR. Because of this, people will be building boxes or L's. In addition, the way this ordinance is being applied, it was not the intent of this Commission to apply it to projects in progress. He would like to refer the item to the Planning Board to discuss the issue of the lot coverage and to create an exception for projects that at the time of passing of the ordinance were already in progress.

Commissioner Malakoff stated that the only thing in front of them today is the applicability section of the ordinance. She explained that the ordinance was passed on two readings and they are not going back to change the ordinance. She explained that the building depends on the skills of the architects, and good ones can build beautiful homes under the single-family homes ordinances, and what they are looking for is the applicability. Since there are 15 applications, it makes sense to look at the applicability.

Commissioner Weithorn stated that her recollection is different and wants to place it on the record. She explained that people were warned back in September 2013, that this was coming and there was even a moratorium until they could figure it out. It bothers when people say that there are projects still caught in the system. She is willing to listen but does not want to carve out people or to hear from an architect.

Discussion held.

Carmen Sanchez, Assistant Planning Director, explained that people knew there was planning and zoning in progress. The issue becomes a timing issue. The Planning Board adopted the Single Family Ordinance in September, but several months transpired before the City Commission took action on second reading. They are asking a question of fairness; is it fair to hold an architect or property owner for six months until the City Commission takes action, and that is a policy decision in front of the Commission. As far as the 15 identified properties, they do not know if they will need the new requirements or not, and that has to be taken into consideration.

Commissioner Malakoff stated that Carmen did a lot of research. She added that three of the 15 properties have already received board approval and the building permit processes numbers, and six did not require the approval. This is a matter of fairness.

Commissioner Wolfson stated that he is impressed with how much time Commissioner Malakoff has invested on this issue, and he will accept any motion she wants to make, and will second it.

Motion made by Commissioner Wolfson to approve the referral to the Planning Board with the amendment by Commissioner Malakoff excluding providing additional exemptions; seconded by Commissioner Malakoff; Voice vote 5-2; Opposed Vice-Mayor Steinberg and Commissioner Weithorn. **City Attorney's Office and Thomas Mooney to handle.**

7:29:55 p.m.

R9C Update On The Audible Pedestrian Signal Program.
(Transportation)

ACTION: Discussion held.

Jose Gonzalez, Director of Transportation, stated that they have been working with the Disability Access Committee to identify locations where they feel audible pedestrian signals are warranted. Since 2009, they have installed audible pedestrian signals on 14 locations, and 14 additional signals that are currently under construction and will be in operation in about 30 to 60 days. He added that an additional six are in the permitting stage. There are 240 signalized intersections in the City, with about 200 intersections that do not have audible pedestrian signals. He will continue

working with the Disability Access Committee to determine locations and priorities for implementation. He informed that recently an inspection program was implemented. Signals are inspected on a quarterly basis to make sure they are working; thereafter, they advise Miami-Dade County of any signals not working, and notify the Disability Access Committee on the time line for repair based on the feedback from Miami-Dade County. The City finds the locations, installs the device and Miami-Dade County maintains them.

7:33:03 p.m.

R9D Reconsideration Of My Vote On The Alton Road Buffer Overlay (R5J) From The April 23rd Commission Meeting.

(Requested by Commissioner Joy Malakoff)

ACTION: Motion made by Commissioner Malakoff to authorize reconsideration of previous vote; seconded by Commissioner Weithorn; Voice vote 7-0. Public Hearing scheduled for May 21, 2014 at 5:05 p.m. as second reading. **Rafael E. Granado to notice.** Lilia Cardillo to place on the Commission Agenda if received. **City Attorney's Office and Thomas Mooney to handle.**

Commissioner Malakoff requested a 5/7 votes motion to reconsider. Motion made by Commissioner Malakoff; seconded by Commissioner Weithorn, and approved unanimously.

Gary Held, First Assistant City Attorney, explained that because there was a public hearing on April 23, 2014, and Commissioner Malakoff now is proposing changes to an item that was approved at that public hearing by a supermajority vote, there is a need to advertise a public hearing for the next City Commission Meeting, hold the public hearing and then vote on the matter on second reading. The motion made today is to authorize the reconsideration of the previous vote. The City Clerk will advertise the public hearing for the next Commission Meeting and this Commission will consider the substance at the next meeting. He clarified that advertisement is required because this is a Land Development Regulation that was voted by supermajority vote.

Raul Aguila, Chief Deputy City Attorney, explained that what the motion to reconsider does, if it passes, is that it basically puts the matter that was previously voted on at issue, and in order to implement the amendment into the ordinance, they would have to bring the ordinance back for second reading and take a new vote.

Discussion held.

Commissioner Malakoff explained that there was a question of the land use, main permitted and accessory uses. She added that she had second thoughts about it and information from neighbors with reference to noise in the evening and they felt another restriction might be needed.

City Clerk's Note:

Recap of Action taken at the April 23, 2014 Commission Meeting:

Ordinance No. 2014-3857 adopted as amended. Motion made by Commissioner Grieco to approve the Ordinance as amended; seconded by Commissioner Malakoff; Ballot vote: 5-1: Opposed: Commissioner Tobin; Absent: Commissioner Wolfson. **Thomas Mooney to handle.**

Prepared by the City Clerk's Office

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Modified Language Of April 23, 2014:

The proposed exemption for properties within contributing buildings and existing in the district would not apply to properties that are combined or aggregated with adjacent properties

Exception Language Of April 23, 2014:

Development application submitted to and considered by a Land Use Board prior to April 23, 2014, may proceed under the existing land development regulations.

7:35:57 p.m.

R9E Discussion Related To The State's "Open Roads Policy."
(Requested by Mayor Philip Levine)

ACTION: Discussion held.

RECOMMENDATIONS:

- Implement policy/protocol (SOP) to clear roads within a certain period of time
- Educate public
- Look into forming a DUI squad
- Install flashing lights to alert vehicles to slow down as they exit the City on the MacArthur Causeway

Mayor Levine stated that unfortunately, there are many accidents on the MacArthur Causeway and the Julia Tuttle Causeway, and they have seen that it takes hours for cleanup. He knows that the Florida Highway Patrol and the Department of Transportation have an Open Roads policy where in 90 minutes the accident sites need to be cleared so the roads are functioning. He would like to implement a similar policy and make it a standard operating procedure where it is applicable.

Major Brian explained that in February FDOT and FHP went into an agreement with an understanding that on roadways ideally the maximum time to clear an accident scene is 90 minutes; however, there are mitigating factors such as fatalities, the scene itself and how large the accident scene is. The Police Department did a study since November, and roughly, over 3,000 accidents from the time they were dispatched to the time they cleared the scene was 83 minutes. That does not take into account how long it takes them to move the vehicles. Officers are trained to move vehicles as practically as possible. Last week's fatality on the MacArthur Causeway was one of those where they are mandated to maintain the scene to do a proper investigation.

Discussion held.

Mayor Levine stated that the big issue is the MacArthur and the Julia Tuttle Causeways, coming up with a protocol to clear these arteries.

Discussion continued.

Major Sliman added that there is State law that says a motorists is required to move their vehicle if they can, and two to three years ago Miami-Dade County did a good job of education. Oftentimes motorists do not want to move the vehicle because they do not want to disturb the

scene.

Mayor Levine asked City Manager Morales about a policy.

Jimmy L. Morales, City Manager, stated that the objective is obviously to clear up the traffic as quickly as possible, but he thinks what happens when there is a homicide and it is a crime scene, and what happened last week while that was going on, they had an accident during rush hour in the Julia Tuttle. They can certainly adopt a protocol if that is the goal.

Major Sliman suggested educating the public.

Mayor Levine asked how they could make sure that the Police Department understands that there is an urgency going forward that these causeways need to be open fast, unless there is an accident scene that needs an investigation.

Discussion continued.

Commissioner Tobin stated that they have to recognize that one car accident on the Julia Tuttle or the MacArthur Causeway cripples the traffic into Miami Beach.

Mayor Levine asked if there is enough patrolling in the early hours for DUI's. Major Sliman explained they need to train more officers. Discussion continued.

Commissioner Grieco discussed with Chief Oates the implementation of a DUI Squad. This has been discussed for a long time and it is not as cost prohibitive as it once was because there are changes in enforcement of DUI's on the State Attorney's side. This is now feasible, as it was not before because there were court related costs and DMV related costs. That is something that they will get the word out and he knows Chief Oates in his previous post had a DUI squad and is supportive of it.

Mayor Levine asked if in the meantime they could install some flashing lights alerting vehicles to slow down. They need cautionary lights up there. He directed the City Manager to direct staff to immediately begin with policy and procedures to ease traffic congestion in the Julia Tuttle and the MacArthur Causeways. **Jose Gonzalez and Major Sliman to handle.**

7:46:36 p.m.

R9F Discussion Regarding Critical Mass.

(Requested by Commissioner Deede Weithorn)

ACTION: Discussion held.

Commissioner Weithorn explained that last Friday night there was an event called Critical Mass. She is often asked if she participates, and she does not, as she does not consider this a bike ride for bicyclists, this is a ride for those who want to have a good time on a Friday night. The problem she has is that there was blatant disrespect for traffic laws; basic disrespect for matters in general, bicycles riding on the street and on the sidewalk, making it difficult to not only drive a car but to walk on the sidewalk. There were regular cyclists who felt they were being barraged by bicycles just because that is what they do for their mode of transportation. She wanted to talk to the Police Department because the next ride is Memorial Day Weekend, and the last thing she

wants them to do is know that it will affect them and ignore it. She is embarrassed that this is what people think bicycle riders are like. The people she rides with abide by laws, monitor traffic and do most things right. She knows that they cannot stop them from coming to Miami Beach. They have the right to ride a bike, just as they have the right to drive a car, but they have to obey the laws just like the rest of the people do. How do we get them to do it?

Commissioner Grieco suggested letting them do it during Memorial Day Weekend when they do one of the DUI checkpoints on the MacArthur Causeway, and they will apply the rules to everyone on a bicycle. He explained that they could get a DUI on a bicycle.

Police Major Sliman explained that this is not a City sponsored event. This event started off to create awareness of bicyclists and it morphed into something more than that, into a situation that not just the City, but others try to deal with, so they had a decision to make not do anything like other cities have done. However, the City staffed it with over 30 officers, with over \$6,700 of overtime. Discussion continued.

Commissioner Grieco stated the MBPD did great during this event, but the problem they have is that the geography of Miami Beach is not conducive to this types of events. In other jurisdictions, they can work around it, but Miami Beach only has one hospital and one way to get to the Trauma Center, and that is the main issue that they have.

Ken Beresky, resident of South Beach and Critical Mass participant, stated that he has been participating for about nine years. He thanked the Police Department for their help. Critical Mass occurs the last Friday of every month, same time, same place, all around the world, where cyclist exercise their rights to the road. With Critical Mass there are enough bikes out there that cars will have to stop, they cannot run them over. That is what Critical Mass is. Unfortunately, there is no leader. People do it all the time, but as a movement, this is a leaderless movement. It would be great if some of the riders would behave.

Commissioner Grieco explained that pedestrians are supposed to come before cars and bicycles and if pedestrians cannot get through, and red lights are being run, something is wrong. Traffic lights apply to everyone.

Mr. Beresky spoke regarding the movement not abiding to laws and the need for a leadership. He added that most of the red lights in the County are broken, as the sensors do not detect bicycles.

Commissioner Malakoff asked that if he and his group do not take the responsibility, why the City should take the responsibility. They are putting people at risk when they go through and do not obey the traffic laws; people that might be sick and in need of an emergency vehicle may be at risk while the vehicle cannot get through because they are running over bicyclists. She thinks they are acting irresponsible.

Commissioner Weithorn explained the rules of cycling and stopping at lights.

ANNOUNCEMENT:

Major Brian Sliman announced that a Memorial Ceremony would take place on May 1, 2014 at 10:00 a.m. in front of the Police Station to recognize all of the officers that have perished. The City Commission is invited to attend.

8:04:27 p.m.

R9G Discussion Regarding Ensuring Belle Isle/Venetian Islands Maintain Continuous Bus Service And Emergency Service.

(Requested by Commissioner Michael Grieco)

ACTION: Discussion held. **Resolution 2014-28585 adopted.** Motion made by Commissioner Grieco to provide any and all support to City staff and the residents of Belle Isle and Venetian Islands in order to resolve the public transportation issues currently being encountered; insist that Miami-Dade County provide the same hours of public transportation service to the residents of Belle Isle and Venetian Islands as they were providing prior to the issue with the bridge; and that a new shuttle route or trolley route be added during the term of this emergency to include Belle Isle, giving access to South Beach; seconded by Commissioner Malakoff. Voice vote 7-0. **Jose Gonzalez to handle and to draft resolution.**

TO DO:

1. Reach out to Miami-Dade County (MDC);
2. MDC to reinstate the original hours of operation of the A bus, from 7:00 a.m. to midnight.
3. Extend or start a new shuttle/trolley route to include Belle Isle, giving them access to South Beach, while this is going on.

Commissioner Grieco introduced the item. Over the weekend, Commissioner Grieco was on Belle Isle, and he was mobbed by people concerned about the future of their bus services and emergency services during the shutdown and subsequent repair of the bridges. Commissioner Grieco requested that Jose Gonzalez, Director of Transportation, provide an update.

Jose Gonzalez, Director of Transportation, stated that the A Route, as it is called, had first been modified by the County, but the modifications to the route did not receive a favorable response from the community or from City staff, because the route did not extend all the way west to the Omni or sufficiently east to the Publix. As of last Friday, the County extended the A Route's temporary service by using 16 passenger minibuses. The County extended the service west to the Omni terminal and east to the Publix at 20 Street, so there is connection to the Local there. However the route is still not the original A Route, but 80% of what the A route used to be. The one pending issue, which the County is still in the process of working through the details, is the operating hours. The operating hours are still limited. Therefore, that is the one outstanding issue that they continue to work with the County. They sent the County an email a couple of days ago to the Director of Miami-Dade Transit, where they are requesting that they reinstate the original hours of operation of the A bus, which was essentially from 7:00 a.m. to midnight, which coincides with the South Beach Local, and thereby ensuring good connectivity at midday, late evenings, essentially all the time.

Commissioner Grieco inquired if there was anyway by resolution to insist from Miami-Dade County, and to give support to the Director of Transportation, for the County to reinstate the full hours of service to Belle Isle. Commissioner Grieco stated that he wants to back the Commission's concerns via resolution. Commissioner Grieco volunteered to assist Director Gonzalez in any way possible. The residents of Belle Isle and the Venetian Islands will be going through enough with the bridges down and they deserve reliable bus service. There are plenty of people that live on Belle Isle and the Venetian Islands that need the bus access, and as a City, they are responsible to ensure this. Even if they are not the ones responsible for the buses, they are responsible to make sure that the people are whole, and that they can get around.

MOTION NO. 1

Motion by Commissioner Grieco that the City provide any and all support to staff and the residents of Belle Isle and Venetian Islands relating to the issues they currently face with public transportation; and insist that Miami-Dade County provide the same bus hours as they were prior to the issues with the bridge.

Jose Gonzalez, Director of Transportation, stated that the Local's route were truncated and cannot travel to Belle Isle, because of the weight restrictions.

Mayor Levine inquired about bringing a third trolley.

Jose Gonzalez, Transportation Director, responded that the Administration has developed three options that takes trolley services over to Belle Isle. Mr. Gonzalez explained that he has concerns with a couple of the options because they entail modifying the Alton/West trolley, and extending it to Belle Isle. Discussion held.

Commissioner Grieco inquired what the problem is with utilizing the third trolley that the City has access to, and utilize it to add a third loop, from Lincoln, Belle Isle, Sunset Harbor and back around; even if it is only one trolley.

Mr. Gonzalez responded that they looked at that option as an independent loop to serve Belle Isle and connect to the Alton Road route. There are a couple of challenges with that. One is by virtue of using the third trolley, which is the spare trolley, the City will be left with no spare.

Mayor Levine stated that the service provider just stated (as part of item R2A) that they could bring as many trolleys as the City needs. Mayor Levine inquired of Mr. Gonzalez what was the second problem.

Mr. Gonzalez stated that the second challenge, and probably more importantly, is that the license that the City currently has, which was issued by the County to operate the Alton/West trolley service, is a temporary license for 120 days, so that license expires in June. The City is working with the County, and the County has an item that is going to Board of County Commission in June that contemplates extending that license. However, they are very explicit conditions.

Mayor Levine stated that because this is an emergency and they cannot offer the service, the City just has to do it.

Kathie G. Brooks, Assistant City Manager, stated that the City is currently negotiating with the County to get their approval on the North Beach trolley as well. The City can reach out to the County and try to work with them on this issue as well.

MOTION NO. 1 MODIFIED

Commissioner Grieco stated that he is going to extend his motion supporting staff, to add expanding the contract.

Mayor Levine stated that they need to do it on an emergency basis.

Commissioner Grieco added that these folks are stranded out there; he talked to them; they are miserable. It is not right.

Commissioner Malakoff stated that they need the residents to reach the west, which is the County's extension, but they also need to go to the beach, the grocery stores and the doctor.

Commissioner Weithorn suggested taking this action, but still asking the County to fix it. When the County fixes it, the City will stop. Commissioner Weithorn does not want to do the County's job because part of what the residents pay in County taxes is for transportation, but if the County cannot figure out as quickly as the City Commission can, they will do it on a temporary basis and authorize it for 60 days. She added that 60 days is a compromise to serve residents and does not send the wrong message to the County.

Kathie G. Brooks, Assistant City Manager, stated that the County has been trying to work with the City on this, but the County has constraints.

Commissioner Grieco added that at no point are they trying to be adversarial with the County. They are trying to fill a gap until the County gets on top of it. They are merely trying to bring to the County's attention how much of an emergency this is.

Ms. Brooks stated that she will try to reach the County officials, to see if may be possible to modify what they are taking to the Board of County Commissioners on the 14th. Ms. Brooks stated that the County has long lead times, but if they modify the proposal, it would be better; the City will work on that.

Commissioner Grieco requested that if the Administration needs to reach out to County Commissioner Sally A. Heyman, or other officials, to do it.

Ms. Barbara Cohen asked Commissioner Grieco if he could go over the bus routes he was proposing for the trolley.

Commissioner Grieco explained that the Commission sets policy. They just want this issue to be resolved for the benefit of the residents. The Administration will determine the routes to best serve the needs.

Ms. Barbara Cowen stated that all the residents of Belle Isle are very pleased with what the Mayor is trying to do for them. Ms. Cowen requested a resolution, not only to reinstate the original hours, which has been proposed by Commissioner Grieco, but also a resolution to ensure that Belle Isle will have practical reliable public transportation throughout South Beach.

Commissioner Grieco stated that he would adopt Ms. Cowen's suggestion.

FINAL MOTION NO. 1

Motion by Commissioner Grieco to provide any and all support to City staff and the residents of Belle Isle and Venetian Islands in order to resolve the public transportation issues currently being encountered; insist that Miami-Dade County provide the same hours of public transportation service to the residents of Belle Isle and Venetian Islands as they were providing prior to the issue with the bridge; that a new shuttle route or trolley route be added during the term of this emergency to include Belle Isle, giving access to South Beach; seconded by Commissioner Malakoff. Voice vote 7-0. **Jose Gonzalez to handle.**

TO DO:

1. Reaching out to the County (MDC)

2. MDC to reinstate the original hours of operation of the A bus, from 7:00 a.m. to midnight.
3. Extending or starting a new shuttle/trolley route to include Belle Isle, giving them access to South Beach, while this is going on.

Handout or Reference Materials:

1. Memorandum from Jimmy Morales, City Manager, dated April 29, 2014, RE: Belle Isle Bus Service.

8:15:41 p.m.

R9H Referral To The Next Sustainability Committee Agenda Proposing A Ban On The Sale Of Polystyrene Products.

(Requested by Commissioner Michael Grieco)

ACTION: Item referred. Motion made by Commissioner Grieco; seconded by Commissioner Malakoff; Voice vote: 7-0. **Elizabeth Wheaton to place on the committee agenda and handle.**

City Clerk's Note: See memorandum from Commissioner Grieco dated April 29, 2014, located in the handout folder.

Handout or Reference Materials:

1. Memorandum from Jimmy Morales, City Manager, dated April 29, 2014, RE: Polystyrene Ban.

7:44:48 p.m.

R9I Discussion Concerning The Status Of Negotiations Regarding The Property Located At 1100 5th Street.

(Requested by Commissioner Jonah Wolfson)

ACTION: Discussion held. No action taken.

Commissioner Wolfson stated that it is his understanding that a few days ago, the appraisal came back at \$20 million and the City revoked the Letter of Interest (LOI). Commissioner Wolfson explained that he put this item on the agenda, because he thinks that they should not let too much time go by before the City decides to pursue this or not; and if they do, give direction to the City Manager to negotiate with the Seller if they want to move from the \$20 million number, or maybe they do not wish the City Manager to negotiate further.

Commissioner Tobin stated that they should not move from the \$20 million number, as the Seller did not counter.

Jimmy L. Morales, City Manager, explained that the appraisal had been received and the LOI had been revised and sent to the Seller. The Seller did not counter, but instead rejected it outright. The City Manager does not want to engage in negotiations from the dais.

Commissioner Wolfson agreed that negotiations should not be occurring from the dais.

Mayor Levine recommended sitting tight and not moving forward with it.

City Manager Jimmy L. Morales stated that he is happy to have conversations with the Seller, but that was not the message that the City got from the Seller.

Mayor Levine stated that he would consider lowering the price, much lower, based on his knowledge of the properties in that neighborhood.

Meeting adjourned at 8:15:57 p.m.

End of Agenda